

§ 152.43 FIRE PREVENTION REGULATIONS SUPPLEMENTAL TO ZONING CODE.

The provisions of §§ 152.40 through 152.44 shall be supplemental to the provisions of the zoning code and shall be enforced by the Board of Public Works and Safety of the city, under the rules and regulations of the City Plan Commission and the Board of Zoning Appeals of the city, which Commission and Board are hereby granted full power and authority to administer and carry into effect all of the provisions of §§ 152.40 through 152.44.

(Ord. 515, passed 10-2-44) Penalty, see § 152.99 (D)

§ 152.44 VIOLATIONS DECLARED A NUISANCE.

Any building or structure, erected, constructed, raised, remodeled, or repaired in violation of any provision of, or requirement of this chapter is hereby declared to be a common nuisance, and the same may be abated in any manner as nuisances are now, or may hereafter be abated under the laws of the state.

(Ord. 515, passed 10-2-44) Penalty, see § 152.99 (D)

BUILDING CODE

§ 152.50 TITLE; PURPOSE; SCOPE.

(A) This subchapter, and all ordinances supplemental or amendatory hereto, shall be known as the "Building Code of the City of Crown Point, Indiana", may be cited as such, and will be referred to herein as "this code."

(B) The purposes of this code are to provide minimum standards for the protection of life, limb, health, environment, and public safety; and to conserve energy in the design and construction of buildings and structures.

(C) The provisions of this code apply to the construction, alterations, repair, use, occupancy, maintenance, and addition to all buildings and structures, other than industrialized building systems or mobile structures certified under IC 22-15-4.

(Ord. 1249, passed 2-7-83; Am. Ord. 1480, passed 9-5-88)

§ 152.51 ADMINISTRATIVE AUTHORITY.

The Building Commissioner is hereby authorized and directed to administer and enforce all of the provisions of this code. Whenever, in the building regulations, it is provided that anything must be done to the approval of or subject to the direction of the Building Commissioner or any other officer of the city, this shall be construed to give that officer only the discretion of determining whether the rules and standards established by ordinance have been complied with; and no such provision shall be construed as giving any officer discretionary powers as to what those regulations, codes or standards shall be, or power to require

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conditions not prescribed by ordinances, or to enforce ordinance provisions in any arbitrary or discriminatory manner. Any variances from adopted building rules are subject to approval under IC 22-13-2-7(b).

(Ord. 1249, passed 2-7-83; Am. Ord. 1480, passed 9-5-88)

§ 152.52 ADOPTION OF STANDARD CODES BY REFERENCE.

(A) The following rules, regulations, and codes, and any rules or regulations promulgated thereunder, are hereby adopted by reference as the rules and regulations governing the construction and alteration of buildings and structures in the city and shall include later amendments to these articles as the same are published in the Indiana Register or the Indiana Administrative Code, with effective dates as fixed therein:

- (1) Article 13 - Building Codes:
 - (a) Fire Building Safety Standards
 - (b) Indiana Building Code
- (2) Article 14 - Indiana Residential Code
- (3) Article 16 - Indiana Plumbing Code
- (4) Article 17 - Indiana Electric Code
- (5) Article 18 - Indiana Mechanical Code
- (6) Article 19 - Indiana Energy Conservation Code
- (7) Article 20 - Indiana Swimming Pool Code
- (8) Article 22 - Indiana Fire Code
- (9) Article 24 - Migrant Day Care Nursery Fire Safety Code
- (10) Article 25 - Indiana Fuel Gas Code

(B) The Building Commissioner and the Fire Prevention and Building Safety Commission may grant a variance to the fire safety laws adopted by this Building Code. Pursuant to IC 22-13-2-7(b), a variance granted by the Building Commissioner is not effective until after final approval by the Fire Prevention and Building Safety Commission.

(C) Copies of this code and rules, regulations, and codes adopted herein by reference are on file as required by law in the office of the Clerk-Treasurer.

(Ord. 1249, passed 2-7-83; Am. Ord. 1470, passed 6-13-88; Am. Ord. 1480, passed 9-5-88; Am. Ord. 1923, passed 1-6-99; Am. Ord. 2003-09-25, passed 10-6-03)

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§ 152.53 PERMIT REQUIRED; APPLICATION.

(A) A permit shall be obtained before the commencement of construction, alterations, demolition, or repair of any building, structure, or improvement, including decks, patios and balconies 12 inches or higher from lot grade.

(B) Regardless of cost a permit shall be required for the construction of a fireplace or a wood or coal burning stove.

(C) Permits and applications therefor shall be on forms furnished by the Planning and Building Department. Permits can only be issued by the Building Commissioner or his or her duly authorized deputy. All permit and inspection fees shall be paid to the Clerk-Treasurer.

(D) No permits shall be issued for the foregoing purposes, unless the application for the permit is accompanied by a plat or sketch of the proposed location showing lot boundaries, and by plans and specifications showing the work to be done. All plans for building construction under the authority of the Department of Fire and Building Services of the state must also be filed with that Department. No local permits shall be issued hereunder until a copy of a release for construction from the State Building Commissioner is received by the Building Commissioner.

(E) (1) Each business locating within the boundaries of the city shall submit a plan describing how its solid waste will be managed, including reduction, reuse and recycling steps taken to reduce its waste stream.

(2) Each person and/or entity applying for business building permits shall provide as a part of their submission a plan describing how their solid waste will be managed, including reduction, reuse and recycling steps taken to reduce their waste stream, which plan shall be subject to approval as part of the permitting process.

(3) Each person and/or entity applying for building permits for multi-family structures, including but not limited to fourplexes and other such structures, shall provide as part of their submission a plan describing how the solid waste for the occupants of such structures will be managed, including reduction, reuse and recycling steps taken to reduce their waste stream, which plan shall be subject to approval as part of the permitting process.

(4) Each individual, business, or other entity, or any other applicant, applying for a permit to demolish any structure, be it residential, business or otherwise, or obtaining any renewal thereof, shall provide as part of its submission a plan describing how the material will be managed, including reduction, reuse and recycling

steps taken to reduce its waste stream, which plan shall be subject to approval as provided as part of the permitting process.

(Ord. 1249, passed 2-7-83; Am. Ord. 1470, passed 6-13-88; Am. Ord. 1480, passed 9-5-88; Am. Ord. 2005-02-03, passed 2-7-05; Am. Ord. 2005-05-13, passed 5-12-05; Am. Ord. 2009-01-01, passed 2-2-09; Am. Ord. 2009-10-33, passed 10-5-09) Penalty, see § 152.99(E)

§ 152.54 REVIEW OF APPLICATION BY BUILDING COMMISSIONER.

Prior to the issuance of any building permit hereunder, the Building Commissioner shall do the following.

(A) Review all building permit applications to determine full compliance with the provisions of this subchapter.

(B) Review all building permit applications for new construction or substantial improvements to determine whether proposed building sites will be reasonably safe from flooding.

(C) Review building permit applications for major repairs within the flood plain area having special flood hazards to determine that the proposed repair: uses construction materials and utility equipment that are resistant to flood damage; and uses construction methods and practices that will minimize flood damage.

(D) Review building permit applications for new construction or substantial improvements within the flood plain area having special flood hazards to assure that the proposed construction, including prefabricated and mobile homes, is:

(1) Protected against flood damage.

(2) Designed (or modified) and anchored to prevent flotation, collapse, or lateral movement of the structure, or flood damage.

(3) Uses construction methods and practices that will minimize flood damage.

(E) Review building permit applications to determine conformance to approved site development plans.

(Ord. 1249, passed 2-7-83)

§ 152.55 INSPECTIONS AND FEES.

(A) The fees for the issuance of an Improvement Location (Building) Permit shall be as follows:

(1) Agricultural and one or two family Residential Dwellings Units: The permit fee for all additions, remodeling, alterations, and accessory structures including carports, covered porches, decks, patios and balconies 12 inches or higher from lot grade shall be equal to \$5 per

\$1,000 of estimated construction value per permit, as estimated by the Building Commissioner or his or her designee, with a minimum fee of no less than \$50 per permit;

(2) Multi-family, condominium, offices, commercial, industrial and all other uses not identified in section (A)(1) above: The permit fee for all additions, remodeling, alterations and accessory structures including garages, carports, covered porches, decks, patios and balconies 12 inches or higher from lot grade shall be a sum equal to \$6 per \$1,000 of estimated construction value per permit, as estimated by the Building Commissioner or his or her designee, with a minimum fee of no less than \$100 per permit;

(3) Renewal of permit: 50% of original permit fee;

(4) Occupancy permit: \$15 per single family dwelling unit and \$15 per unit for all other buildings or structures;

(5) Electrical: \$75 per 100 Amp service;
.20 per Amp over 100 Amp;
\$50 Flat fee for branch circuits and rewire; and
\$25 Per temporary construction service pole;

(6) Plumbing:

(a) Residential and Agricultural:

\$30 plus \$3 per fixture;

\$30 minimum fee per structure;

(b) Commercial, Industrial, Multi-family:

\$50 plus \$3 per fixture;

\$50 minimum fee per unit.

(7) HVAC-Mechanical:

(a) Agricultural, one- and two-family, multi-family and condominiums shall be a flat fee of \$50 per unit.

(b) Office, commercial, industrial and all other uses not specified in division (7)(a) above, shall pay a fee of \$100 per HVAC unit in or on the building.

(8) Fireplaces: \$25 per fireplace;

(9) Swimming Pools: \$100 per above ground pool;

\$30 plus \$4 per \$1,000 of estimated construction cost for each in ground pool;

(10) Demolition: \$10.00

(11) Signs: \$50 plus \$.50 per square foot;

(12) All fees shall be waived for all units of City Government;

(B) The estimated construction value shall be determined by utilizing the building valuation data provided by the then current International Conference of Building Officials (I.C.B.O.) Building Standards to determine fees for payment of inspection and administration cost based on the following inspection schedule:

(1) There shall not be less than eleven inspections required for every building permit, except as noted, made in the following scheduled order:

(a) Footing pre-pour inspection.

(b) Footing inspection.

(c) Foundation inspection.

(d) Rough framing inspection.

(e) Underground plumbing and/or electrical inspection.

(f) Rough plumbing inspection.

(g) Rough electrical inspection.

(h) Rough HVAC-Mechanical.

(i) Electrical service inspection.

(j) Final HVAC-Mechanical.

(k) Final occupancy inspection (building, plumbing, and electrical).

(2) All building projects including fireplaces, other than one or two family construction, shall have a rough and final fire inspection conducted by the City Fire Inspector or Fire Chief.

(C) "Re-inspection" shall be defined as each inspection made in excess of the number of inspections authorized in division (B) above.

Each re-inspection shall be charged at the rate of \$25 each and no certificate of occupancy shall issue prior to the payment of all inspection and re-inspection fees to the city.

(D) The Building Commissioner shall in all cases designate the stage of construction when each required inspection must be requested by the permit holder. No concrete shall be placed for foundations without prior inspection. No electrical, mechanical, plumbing, or thermal insulation work shall be covered without prior inspection. When additional inspections are required due to failure of the permit holder to have work ready for inspection at the designated stage of construction, the Director of Planning and Building shall have the power to assess a re-inspection fee of \$25 for each additional inspection. Re-inspection fees shall be paid prior to the issuance of a certificate of occupancy.

(E) After the issuance of any building permit hereunder, the Building Commissioner shall make, or shall cause to be made, such inspections of the work being done under the permit as are necessary to insure full compliance with the provisions of this subchapter and the terms of the permit. Re-inspections of work found to be incomplete or not ready for inspection are subject to assessment of reinspection fees as prescribed in this code.

(F) Each Improvement Location (Building) Permit shall expire two years after its date of issuance. If all construction and inspections are not completed, or a Final Certificate of Occupancy is not granted, within two years of the issuance of the original permit, all construction or work at the project site shall cease until such time as a renewal permit is applied for and issued by the city.
(Ord. 1249, passed 2-7-83; Am. Ord. 1451, passed 12-7-87; Am. Ord. 1470, passed 6-13-88; Am. Ord. 1480, passed 9-5-88; Am. Ord. 1508, passed 10-2-89; Am. Ord. 1922, passed 1-6-99; Am. Ord. 1969, passed 2-7-00; Am. Ord. 2004-04-08, passed 5-3-04; Am. Ord. 2004-06-11, passed 6-7-04; Am. Ord. 2007-05-16, passed 5-7-07; Am. Ord. 2007-06-20, passed 6-4-07; Am. Ord. 2009-01-01, passed 2-2-09; Am. Ord. 2009-10-33, passed 10-5-09)
Penalty, see § 152.99(E)

§ 152.56 STANDARDS.

(A) All work done under any permit issued hereunder shall be in full compliance with all other ordinances pertaining thereto, and in addition to the fees for permits hereinafter provided for, there shall be paid the fees prescribed in those ordinances.

(B) All work on the construction, alteration, and repair of buildings and other structures shall be performed in a good and workmanlike manner according to accepted standards and practices in the trade.

(Ord. 1249, passed 2-7-83) Penalty, see § 152.99(E)

§ 152.57 STOP ORDER.

Whenever any work is being done contrary to the provisions of this code, the Building Commissioner may order the work stopped by notice in

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writing served on any persons engaged in the doing or causing the work to be done, and those persons shall forthwith stop such work until authorized by the Building Commissioner to proceed with the work.
(Ord. 1249, passed 2-7-83)

§ 152.58 CERTIFICATE OF OCCUPANCY.

No certificate of occupancy for any building or structure erected, altered, or repaired after the adoption of this subchapter shall be issued unless such building or structure was erected, altered, or repaired in compliance with the provisions of this subchapter.
(Ord. 1249, passed 2-7-83)

§ 152.59 VIOLATIONS.

It shall be unlawful for any person, firm, or corporation, whether as owner, lessee, sublessee, or occupant, to erect, construct, enlarge, alter, repair, improve, remove, convert, demolish, equip, use, occupy, or maintain any building or structure, other than fences, in the city; or cause or permit the same to be done, contrary to or in violation of the provisions of this code.
(Ord. 1249, passed 2-7-83) Penalty, see § 152.99(E)

§ 152.60 RIGHT OF APPEAL.

Any person affected by an order, decision, or final action made pursuant to this subchapter may, within ten days of notification thereof, appeal the same to the Board of Works and Public Safety by submitting to the City Clerk/Treasurer a written petition stating pertinent provisions and grounds for appeal. Within ten days of the filing of a petition, the Board shall hold a hearing on said petition. Within five days after the conclusion of the hearing, the Board shall revoke, modify, or affirm the order, decision, or final action being appealed. All persons shall have the right to appeal any order of the Building Commissioner, first through the Board of Works and Public Safety and as outlined above, and then to the State Fire Prevention and Building Safety Commission in accordance with the provisions of I.C. 22-13-2-7 and 4-21.5-3-7.
(Ord. 1249, passed 2-7-83; Am. Ord. 1480, passed 9-5-88)

§ 152.61 REMEDIES.

The city, upon the approval and authorization of the Board of Public Works and Safety, or upon the written authorization of the Mayor, may bring an action or actions for injunctive or other equitable relief, or for money damages or penalties allowed by this chapter or other ordinance or laws, as may be deemed appropriate.
(Ord. 1249, passed 2-7-83; Am. Ord. 2004-06-11, passed 6-7-04)

DISPLAY OF STREET NUMBERS

§ 152.70 DISPLAY OF STREET NUMBERS REQUIRED.

(A) Each building, house, or other structure on a parcel of real estate which is or has been assigned a street number by the Advisory Plan Commission, shall have, displayed and properly maintained thereon, the assigned street number on a portion of the structure on or near the main entrance, which is plainly and readily visible by the naked eye from the street or other public way which adjoins the parcel.

(B) For shopping centers, multiple use commercial and industrial buildings with an alley or roadway servicing the rear of the building, the street number and name of the business shall be displayed on all service door(s) to that business, as provided in § 152.72.

(Ord. 1283, passed 10-3-83; Am. Ord. 1758, passed 5-1-95) Penalty, see § 152.99(F)

§ 152.71 REQUIREMENT FOR STRUCTURES DISTANT FROM PUBLIC WAY.

Every building, house, or other structure which has been so assigned a street number by the Advisory Plan Commission, but which is so distant from the street or other public way which adjoins it as to be impractical to comply with the requirements of § 152.70, shall instead display the assigned street number on a light post, mailbox, fence, or other structure near the entrance to that parcel, which is plainly and readily visible by the naked eye from the street or public way which adjoins it.

(Ord. 1283, passed 10-3-83) Penalty, see § 152.99(F)

§ 152.72 SPECIFICATIONS.

The display of the assigned street number shall employ arabic numerals of a minimum of four inches in height, the color of which must clearly contrast with the background upon which they are placed.

(Ord. 1283, passed 10-3-83; Am. Ord. 2006-02-05, passed 2-6-06) Penalty, see § 152.99(F)

§ 152.73 GRACE PERIOD.

Any person who violates this subchapter shall have 30 days following written notification of non-compliance in which to comply without fine or other penalty.

(Ord. 1283, passed 10-3-83) Penalty, see § 152.99(F)

BOARDING OF DOORS, WINDOWS, AND OTHER OPENINGS

§ 152.75 DEFINITIONS.

For the purpose of this subchapter the following definitions shall apply unless the context clearly indicates or requires otherwise.

"DOOR." A movable structure for opening or closing an entrance or

means of access.

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"MATERIAL" or "SUBSTANCE." Any solid, opaque material or substance, including, but not limited to, plywood, sheet metal, wooden boards, and hardware cloth.

"PERSON." Any natural person, corporation, association, trust, venture, partnership, or other entity, who is an owner, co-owner, occupant, tenant, co-tenant, or possessor of a structure.

"STRUCTURE." That term as defined in § 150.02 of this code.

"WINDOW." An opening in a structure for letting in light or air, or looking through.

"WINDOW SHUTTERS." A hinged cover or screen used to temporarily close a window.

(Ord. 1429, passed 3-2-87)

§ 152.76 BLOCKING DOORS OR WINDOWS RESTRICTED.

No exterior door or window on any structure, nor any exterior opening, doorway, entrance, or exit on any structure, may be or remain covered, blocked off, obscured, obstructed, screened, or shut out by any material or substance, unless pursuant to the terms of § 152.77.

(Ord. 1429, passed 3-2-87) Penalty, see § 152.99

§ 152.77 EMERGENCY PERMITS; RENEWAL.

In the event of damage to a structure by fire, act of God, force majeure, or other catastrophe, a person may cover the doors, windows, entrances, exits, and other openings in the exterior of that damaged structure with materials or substances; provided, however, that no such materials or substances may be applied to, fastened on, attached to, or erected upon such a structure until an emergency permit for the same has been issued by the City Building Commissioner, or, in his absence, the City Fire Inspector. Only materials approved by the issuer of said permit and specifically stated therein may be used for such purpose by the permittee. Such an emergency permit shall expire 90 days from the date of the damage, and shall be renewable for additional 30-day periods in the discretion of the City Building Commissioner. The City Building Commissioner shall issue a renewal permit only if reasonable and timely progress of any investigation of the cause of the damage to or of any repairs to the structure is satisfactorily documented. Such permit and renewals thereof, if issued, shall be without charge or fee.

(Ord. 1429, passed 3-2-87) Penalty, see § 152.99

§ 152.78 EXCEPTIONS; SHUTTERS AND REMODELING.

Nothing in this subchapter shall be interpreted to prohibit the erection of window shutters on any structure, or the remodeling or renovation of any structure, when such remodeling or renovation is performed pursuant to all applicable statutes, ordinances, and permits.

(Ord. 1429, passed 3-2-87)

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COVERING OF WINDOWS AND OTHER OPENINGS
IN UNOCCUPIED COMMERCIAL STRUCTURES

§ 152.80 DEFINITIONS.

For the purpose of this subchapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

"COMMERCIAL STRUCTURE." A structure, as that term is defined at § 150.02 of this code, which either is intended, in part or in whole, for a use related to business or commerce, as those terms are defined at § 150.02 of this code, or whose most recent use was, in part or in whole, related to business or commerce, as those terms are defined at § 150.02 of this code, or which is located in either a B-1, B-2, B-3, I-1, or OS-1 zoning district, as those terms and designations are defined at § 150.19 of this code.

"COVERING." Curtains, draperies, window shades, Venetian blinds, and similar materials and devices which are commercially manufactured for the purpose of the decoration and screening of windows, but not including any other solid, opaque material or substance, including, but not limited to, soap, paint, paper, newspapers, cardboard, other paper products, plywood, sheet metal, wooden boards, and hardware cloth.

"DOOR." A movable fixture or device intended or designed for opening or closing an entrance or means of access or exit to a commercial structure, which fixture or device contains a window.

"PERSON." Any natural person, corporation, association, trust, venture, partnership, or other entity, who is an owner, co-owner, occupant, tenant, co-tenant, or possessor of a commercial structure.

"VACANT" or "UNOCCUPIED." Shall have interchangeable meaning, and shall mean and refer to a condition of disuse, emptiness, abandonment, or lack of activity related to business or commerce, which condition continues for a period of ten or more consecutive days.

"WINDOW." An opening in a commercial structure or door intended or designed for the passage of light or air, or for the purpose of visual observation.

"WINDOW SHUTTERS." Hinged covers or screens used to temporarily close a window.
(Ord. 1455, passed 2-1-88)

§ 152.81 COVERING REQUIRED ON DOORS OR WINDOWS OF UNOCCUPIED COMMERCIAL STRUCTURE.

All exterior doors or windows on any vacant or unoccupied commercial structure shall have affixed to the entire interior thereof, a covering, unless otherwise permitted pursuant to the terms of § 152.82.
(Ord. 1455, passed 2-1-88) Penalty, see § 152.99

§ 152.82 EMERGENCIES; PERMIT.

In the event of damage to a vacant or unoccupied commercial structure by fire, act of God, force majeure, or other catastrophe, a person may cover the doors or windows on the exterior of that damaged structure with materials or substances as provided in § 152.77, but only if done in strict compliance with and pursuant to the terms and permit procedures contained in §§ 152.75 through 152.78 which are hereby incorporated by reference.

(Ord. 1455, passed 2-1-88) Penalty, see § 152.99

§ 152.83 EXCEPTIONS; SHUTTERS AND REMODELING.

Nothing in this subchapter shall be interpreted to prohibit the erection of window shutters on any structure, or the remodeling or renovation of any structure, when such remodeling or renovation is performed pursuant to all applicable statutes, ordinances, and permits. (Ord. 1455, passed 2-1-88)

§ 152.99 PENALTY.

(A) Any person, firm, or corporation which shall violate any provision of §§ 152.01 through 152.03 shall be guilty of a misdemeanor and shall be punished by a fine not to exceed \$300.

(Ord. 474, passed 8-24-37; amend. Ord. 619, passed 11-5-56)

(B) Any person violating the provisions of §§ 152.20 through 152.27 shall be fined in a sum not exceeding \$2500. Each day the violation continues shall be deemed a separate and distinct violation of the provisions hereof. (Ord. 1268, passed 6-6-83)

(C) Any and each day of occupancy or attempted occupancy without the permit required by §§ 152.30, 152.31, and 152.32 shall constitute a separate offense and shall subject the violator to punishment by a fine of not less than \$10 nor more than \$25 for each offense.

(D) Any person, firm, or corporation which shall violate any of the provisions of §§ 152.40 through 152.44 or which shall fail to comply therewith, or with any of the requirements thereof, or which shall erect, construct, alter, or repair any building or structure in violation of any detailed plan or statement submitted for approval and as approved hereunder, shall for each and every violation or noncompliance be guilty of an offense hereunder, and upon conviction thereof shall forfeit and pay to the city a fine in any sum not to exceed \$300 for each offense, and each day such violation or noncompliance shall be permitted to exist shall constitute a separate and distinct offense.

(Ord. 515, passed 10-2-44)

(E) If any person, firm, or corporation shall violate any of the provisions of §§ 152.50 through 152.61, or shall do any act prohibited therein; or shall fail to perform any duty lawfully enjoined within the time prescribed by the Building Commissioner; or shall fail, neglect,

or refuse to obey any lawful order given by the Building Commission in connection with the provisions of §§ 152.50 through 152.61, for each violation, failure, or refusal, that person, firm, or corporation shall be fined any sum not less than \$50, nor more than \$2,500. Each day of such unlawful activity as is prohibited by the first sentence of this division shall constitute a separate offense. (Ord. 1249, passed 2-7-83)

(F) An owner or occupant of a building, house, or structure on a parcel of real estate which has been or is assigned a street number, and who fails to erect or to properly maintain the numerical display required by §§ 152.70 through 152.73, shall be liable for a fine of no more than \$100. Each day a violation of §§ 152.70 through 152.73 exists shall be deemed a separate violation. (Ord. 1283, passed 10-3-83)

(G) (1) Any person who shall violate any provision of §§ 152.76 and 152.77 shall be liable for a fine of no less than \$25 and no more than \$100, provided, further, that each day or part of a day such violation exists shall constitute a separate and distinct violation.

(2) Any person who shall violate any provision of §§ 152.76 and 152.77 shall be deemed the author and maintainer of a public nuisance. (Ord. 1429, passed 3-2-87)

(H) (1) Any person who shall violate any provision of §§ 152.81 and 152.82 shall be liable for a fine of no less than \$25 and no more than \$100, provided, further, that each day or part of a day such violation exists shall constitute a separate and distinct violation.

(2) Any person who shall violate any provision of §§ 152.81 and 152.82 shall be deemed the author and maintainer of a public nuisance. (Ord. 1429, passed 3-2-87)